Exhibit T

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

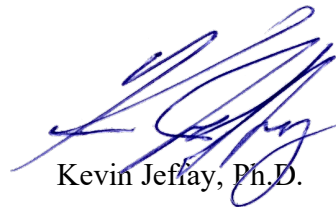|		
HEADWATER RESEARCH LLC,	§ § §	**HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY**
Plaintiff,	§ §	CIVIL ACTION NOS.
v.	§ §	2:23-cv-00379-JRG-RSP
T-MOBILE US, INC. AND SPRINT CORP,	§ §	2:23-cv-00377-JRG-RSP
Defendants.	§ § §	

**EXPERT REPORT OF KEVIN JEFFAY, Ph.D. REGARDING INVALIDITY OF
U.S. PATENT NOS. 8,589,541 and 9,215,613**

Dated: January 29, 2025

Respectfully submitted,

Kevin Jeffay, Ph.D.

D.   Priority Date

119.   I understand that Headwater contends the Asserted Patents are entitled to a priority date of May 25, 2010. *See* 2024-11-20 Headwater 3rd Supp Objs-Resps to T-Mobile 2nd Set ROGs ("Headwater presently contends that the '613 and '541 Patents are entitled to a priority date no later than May 25, 2010."). Thus, for purposes of performing my analysis in this Report, I have used Headwater's offered date of May 25, 2010. I reserve the right to revise my opinions should Headwater later attempt to rely on an earlier priority date.

E.   Asserted Claims

120.   I understand that Headwater accuses the Defendants of infringing Claims 79 and 83, which depend from Claim 1.[39] These Claims are listed below.

Claim 1: A non-transitory computer-readable storage medium storing machine-executable instructions that, when executed by one or more processors of a wireless end-user device, cause the one or more processors to:

> **Element 1[a]:** identify a service usage activity of the wireless end-user device, the service usage activity being associated with a first software component of a plurality of software components on the wireless end-user device, the service usage activity comprising one or more prospective or successful communications over a wireless network;

> **Element 1[b]** determine whether the service usage activity comprises a background activity;

> **Element 1[c]:** determine at least an aspect of a policy based on a user input obtained through a user interface of the wireless end-user device or based on information from a network element, the policy to be applied if the service usage activity is the background activity, the policy at least for controlling the service usage activity; and

> **Element 1[d]:** if it is determined that the service usage activity is the background activity, apply the policy.

Claim 79: The non-transitory computer-readable storage medium recited in claim 1, wherein apply the policy comprises at least assist in intercepting a stack application programming interface (API) level or application messaging layer request.

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[39] Claim 1 of the '541 Patent was disclaimed by Headwater.